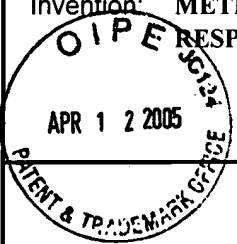


04.13.05

A # 300

<b>COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES &amp; PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)</b>					<b>Docket No.</b> 1340-1-021CIP2 (SJ-0015)	
In Re Application Of: Sorrentino and Schuetz						
Application No. 09/866,866	Filing Date May 29, 2001	Examiner Qian Janice Li	Customer No. 31949	Group Art Unit 1632	Confirmation No. 4688	
Invention: <b>METHOD OF IDENTIFYING AN/OR ISOLATING STEM CELLS AND PROGNOSING RESPONSIVENESS TO LEUKEMIA TREATMENT</b>						
			04/14/2005 EFLORES 00000037 09866866 01 FC:2252 225.00 OP			
<u>COMMISSIONER FOR PATENTS:</u>						
This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of <u>October 20, 2004</u> in the above-identified application. <div style="text-align:center"><small>Date</small></div>						
Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated <u>October 20, 2004</u> finally rejecting Claim(s) <u>16, 17 and 21-18</u>						
Applicant(s) hereby request(s) an extension of time of (check desired time period): <div style="display:flex; justify-content:space-between;"><div><input type="checkbox"/> One month</div><div><input checked="" type="checkbox"/> Two months</div><div><input type="checkbox"/> Three months</div><div><input type="checkbox"/> Four months</div><div><input type="checkbox"/> Five months</div></div> <div style="display:flex; justify-content:space-between;"><div>from: <u>February 21, 2005</u> <div style="text-align:center"><small>Date</small></div></div><div>until: <u>April 20, 2005</u> <div style="text-align:center"><small>Date</small></div></div></div>						
The fee for the Notice of Appeal and Extension of Time has been calculated as shown below: <div style="display:flex; justify-content:space-between;"><div>Fee for Notice of Appeal:</div><div><u>\$250.00</u></div></div> <div style="display:flex; justify-content:space-between;"><div>Fee for Extension of Time:</div><div><u>\$450.00</u></div></div> <div style="display:flex; justify-content:space-between;"><div><b>TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME:</b></div><div><u><b>\$700.00</b></u></div></div>						
The fee for the Notice of Appeal and extension of time is to be paid as follows:						
<input type="checkbox"/> A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed.						
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____						
<input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. <u>50-1619</u> <div style="display:flex; justify-content:space-between;"><div><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.</div><div>04/14/2005 EFLORES 00000036 09866866 01 FC:2401 250.00 OP</div></div> <div style="display:flex; justify-content:space-between;"><div><input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.</div><div></div></div>						
<input checked="" type="checkbox"/> If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. <u>50-1619</u>						
<input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.						
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR  
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

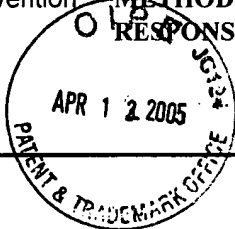
Docket No.  
**1340-1-021CIP2 (SJ-0015)**

In Re Application Of:

**Sorrentino and Schuetz**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
09/866,866	May 29, 2001	Qian Janice Li	31949	1632	4688

Invention: **METHOD OF IDENTIFYING AN/OR ISOLATING STEM CELLS AND PROGNOSING  
RESPONSIVENESS TO LEUKEMIA TREATMENT**



**TO THE COMMISSIONER FOR PATENTS:**

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

*Janice Li*  
Signature

Dated: April 12, 2005

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on \_\_\_\_\_

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Sorrentino and Schuetz

Docket No.

1340-1-021CIP2 (SJ-0015)

Application No.

09/866,866

Filing Date

May 29, 2001

Examiner

Qian J. Li

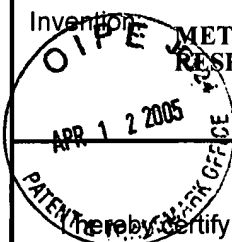
Customer No.

31949

Group Art Unit

1632

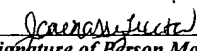
Invention

**METHOD OF IDENTIFYING AND/OR ISOLATING STEM CELLS AND PROGNOSING  
RESPONSIVENESS TO LEUKEMIA**

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**Notice of Appeal & Petition for Extension of Time (Small Entity)***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

April 12, 2005*(Date)*Jane Massey Licata*(Typed or Printed Name of Person Mailing Correspondence)*  
*(Signature of Person Mailing Correspondence)*EV583917423US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): Sorrentino and Schuetz

Docket No.

1340-1-021CIP2 (SJ-0015)

Application No.

09/866,866

Filing Date

May 29, 2001

Examiner

Qian J. Li

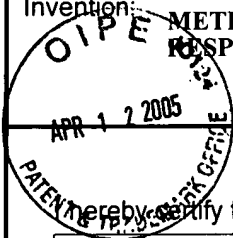
Customer No.

31949

Group Art Unit

1632

Invention:

METHOD OF IDENTIFYING AND/OR ISOLATING STEM CELLS AND PROGNOSING  
RESPONSIVENESS TO LEUKEMIA

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April 12, 2005

(Date)

Jane Massey Licata

(Typed or Printed Name of Person Mailing Correspondence)

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